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To: Microsoft ATR
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Subject: Microsoft Settlement

I would like to add a comment on the Microsoft Settlement.

Microsoft has a history of partaking in dubious (and illegal) processes in order to maintain and build it's monopoly and diminish and remove competition. Yet, every single occurrence of such practices being questioned and challenged has led to, at most, a slap on the wrist for Microsoft. And, by the time everyone has finished the debate over whether they had specifically set out to squash competition unfairly, said competition has already disappeared or has been reduced to an ineffectual remnant of itself. In essence, Microsoft's actions are generally successful once they drag out legal proceedings and debate.

The challenge that the DOJ settlement faces is not to simply punish Microsoft for its practices - a slap on the wrist, but to chastise them and then force changes which will rectify what Microsoft's actions have wrought. I am concerned that the settlement not only lacks any really punishment for Microsoft, but, more importantly, does very little to rectify the damage done by its actions. All that it seems to do is give Microsoft the option of choosing what they wish to disclose to whom so that they can be considered to be playing nice with others. Nothing in the ruling requires them to disclose enough details about their Office suite or OS to truly allow others to build software to interact or compete. Microsoft may have to reveal some information, but they get to choose what and to whom. In fact, the settlement would legalize Microsoft withholding information to some groups - such as any group not considered a business. Then, should anyone complain, they can hold up the settlement, their "punishment and rules of conduct" and point out that they are being such a good little company in following the rules.

I just wanted to express my disappointment with what seems to be an ineffectual settlement. I am not saying that Microsoft necessarily needs to be split up or obliterated. But perhaps something which actually seeks to rectify the problems would be better...

-Mike Masino